What is EJCDC?
Leveraging Industry Contracts to Deliver Your Capital Projects

May 8, 2026
Pacific Northwest Section AWWA Conference

Disclaimer

- This presentation does not constitute legal advice, and you should not rely upon it for legal counsel. Your organization should consult its own legal counsel regarding contract selection and interpretation.
- This presentation represents only generalized advice and is not intended as specific to particular contracts or jurisdictions. This presentation does not address US federal contracts.
- Presentation organizer, presenter, and presenter's employer are not responsible for interpretations or use of this presentation's content by the audience or others.

Approaches for Front-End* Contract Documents

CIP Approach

Develop and approve contract templates for different project delivery methods

Same procurement and contracting templates for all projects

Establish organization-specific standards to be the same for all projects

Per-Project Approach

Reinvent the wheel every time

Contracting and procurement documents unique to the project

Previous project considerations might not apply to the next project

*Division 00 Procurement and Contracting Docs and Division 01 General Requirements

Why Not Use Industry Standard Contracts?

- Owner has a long-standing custom contract
- Type of available standard contract does not fit the project type
- Local contractor familiarity with existing Owner documents
- Owner’s contracting policies are not likely to be easily changed
- Getting new contract documents approved could take a long time
- Owner desire to limit use of Owner’s own legal counsel

Why Use Industry Standard Contracts?

- Comprehensive (Nothing missing)
- Created and peer-reviewed by experienced industry professionals
- Updated regularly (between 5 and 10 years, depending on publisher)
- Reflect changes in industry practices
- Information located where users expect to find it
- Interpreted by courts in various jurisdictions for years (EJCDC founded in 1975)
- Contractual risk allocated to the party best able to control that risk
- Contractors more likely to be familiar with documents → More attractive bids

Who Publishes Contract Templates?

EJCDC
ENGINEERS JOINT CONTRACT DOCUMENTS COMMITTEE

The American Institute of Architects

ConsensusDocs®
BUILDING A BETTER WAY

DBIA
DESIGN-BUILD INSTITUTE OF AMERICA

Water Collaborative Delivery Association

Contract Templates Available (Water Sector Focus)

(by organization and project delivery method)

	Procurement (Purchase)	Design-Bid-Build	Construction Manager at Risk	Progressive Design-Build	Fixed-Price Design-Build
EJCDC	✓	✓	✓	✓	✓
WCDA			✓		
DBIA				✓	✓

Engineer's Joint Contract Documents Committee

EJCDC

- Voting delegates from three organizations



Engineer's Joint Contract Documents Committee

EJCDC

- Founded 1975 (initial publications in 1964)
- Focused on
  - Engineer-Led Project Delivery
  - Public Agency Owners (not just Water projects)
  - Infrastructure
- User-Friendly
  - Native Word/Excel files
- Coalition of Stakeholders
  - Engineering Design, Construction, Owner, Legal, and Insurance and Surety Professionals



EJCDC Myths



True

Templates for all major project delivery methods

Tested, proven, widely-used



Not True

No cost to use

Ready to use "off the shelf"

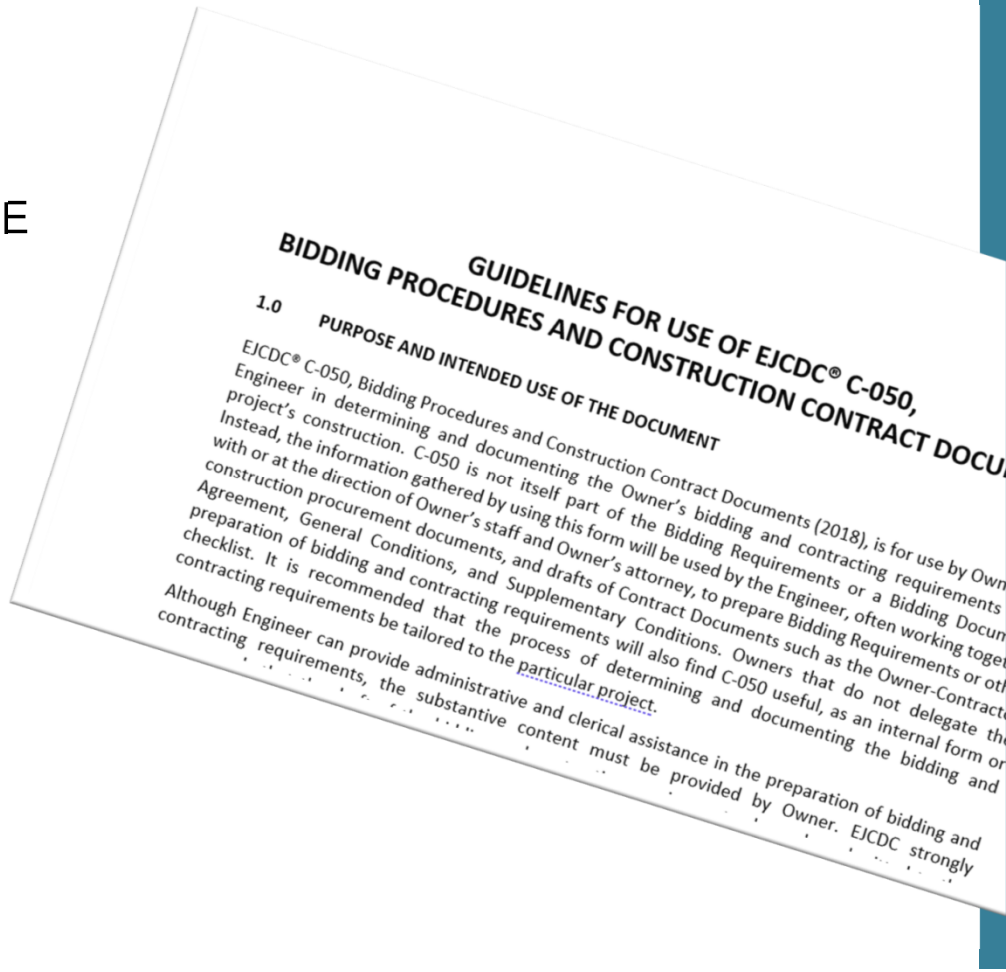
EJCDC Design-Bid-Build Construction Series

DBB

- EJCDC publications
  - “Construction Series” or “C-Series”
  - “Construction Manager as Advisor” or “CMa-Series”
  - Covers the Procurement and Contracting documents needed to deliver the project with the Design-Bid-Build delivery method
  - Other templates for professional services, procurement, and multiple other construction project delivery methods
- EJCDC license agreement
  - Entities using the documents need to buy the documents
  - Conditions are not onerous; C-700 General Conditions

How do I actually use EJCDC?

1. Purchase the documents
   - Online Stores: EJCDC, ASCE, ACEC, or NSPE
   - Individual documents or Full Sets
2. Understand the License Agreement
3. Read the *Guidance Notes* in every document
4. Edit and adjust for your project



GUIDELINES FOR USE OF EJCDC® C-050,
BIDDING PROCEDURES AND CONSTRUCTION CONTRACT DOCU

1.0 PURPOSE AND INTENDED USE OF THE DOCUMENT

EJCDC® C-050, Bidding Procedures and Construction Contract Documents (2018), is for use by Own
Engineer in determining and documenting the Owner's bidding and contracting requirements
project's construction. C-050 is not itself part of the Bidding Requirements or a Bidding Docum
Instead, the information gathered by using this form will be used by the Engineer, often working toge
with or at the direction of Owner's staff and Owner's attorney, to prepare Bidding Requirements or oth
construction procurement documents, and drafts of Contract Documents such as the Owner-Contract
Agreement, General Conditions, and Supplementary Conditions. Owners that do not delegate th
preparation of bidding and contracting requirements will also find C-050 useful, as an internal form or
checklist. It is recommended that the process of determining and documenting the bidding and
contracting requirements be tailored to the particular project.

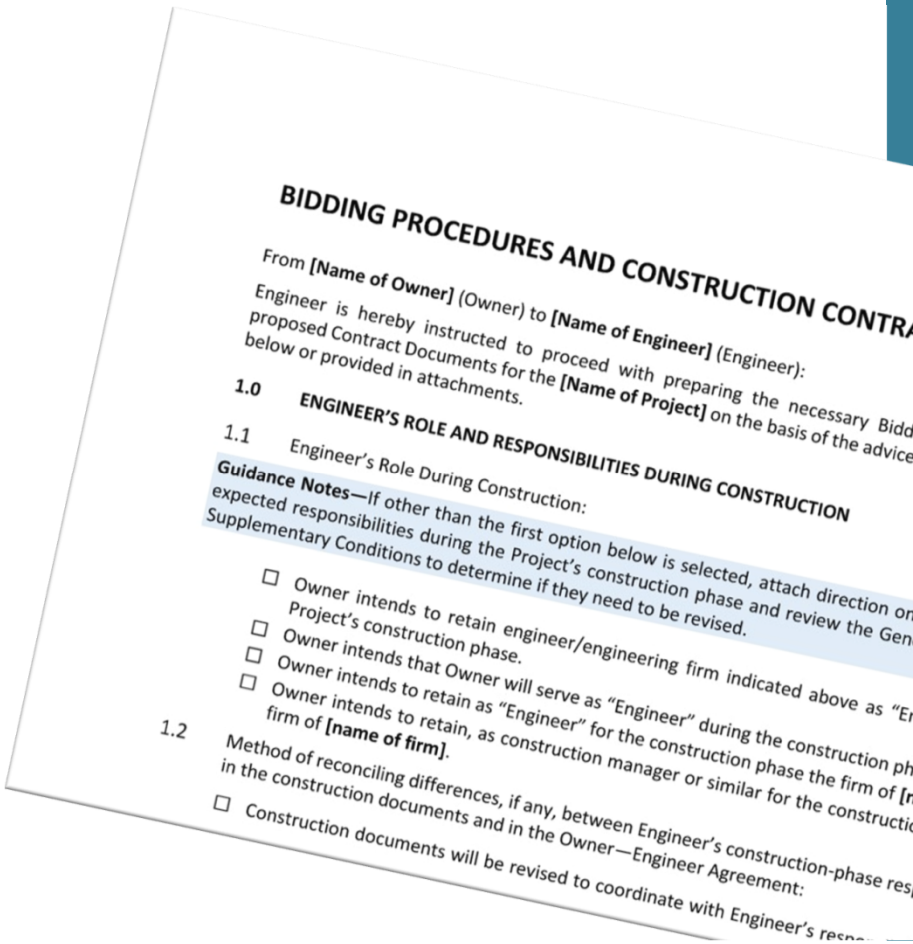
Although Engineer can provide administrative and clerical assistance in the preparation of bidding and
contracting requirements, the substantive content must be provided by Owner. EJCDC strongly

Front-End Considerations for Your Project

- Owner’s needs, concerns, past issues
- Owner’s experience with construction contracting
- Owner’s resources to administer the contract
- Owner’s funding source and unique procurement requirements
  - Local, State, or Federal procurement rules
  - Grant or Loan rules
- Owner’s roles and responsibilities during construction
- Engineer’s construction-phase scope of services
- Owner’s Advisor or other third-party services

Documenting those Considerations

- Owner completes C-050
  - *C-050: Bidding Procedures and Construction Contract Documents*
- Engineer sends C-051 to Owner
  - *C-051: Engineer's Letter to Owner Requesting Instructions Concerning Bonds and Insurance*
- Owner returns C-052 to Engineer
  - *C-052: Owner's Instructions to Engineer Concerning Bonds and Insurance*



BIDDING PROCEDURES AND CONSTRUCTION CONTRA

From **[Name of Owner]** (Owner) to **[Name of Engineer]** (Engineer):

Engineer is hereby instructed to proceed with preparing the necessary Bidd proposed Contract Documents for the **[Name of Project]** on the basis of the advice below or provided in attachments.

1.0 ENGINEER'S ROLE AND RESPONSIBILITIES DURING CONSTRUCTION

1.1 Engineer's Role During Construction:

Guidance Notes—If other than the first option below is selected, attach direction on expected responsibilities during the Project's construction phase and review the Gen Supplementary Conditions to determine if they need to be revised.

☐ Owner intends to retain engineer/engineering firm indicated above as "E Project's construction phase.

☐ Owner intends that Owner will serve as "Engineer" during the construction ph

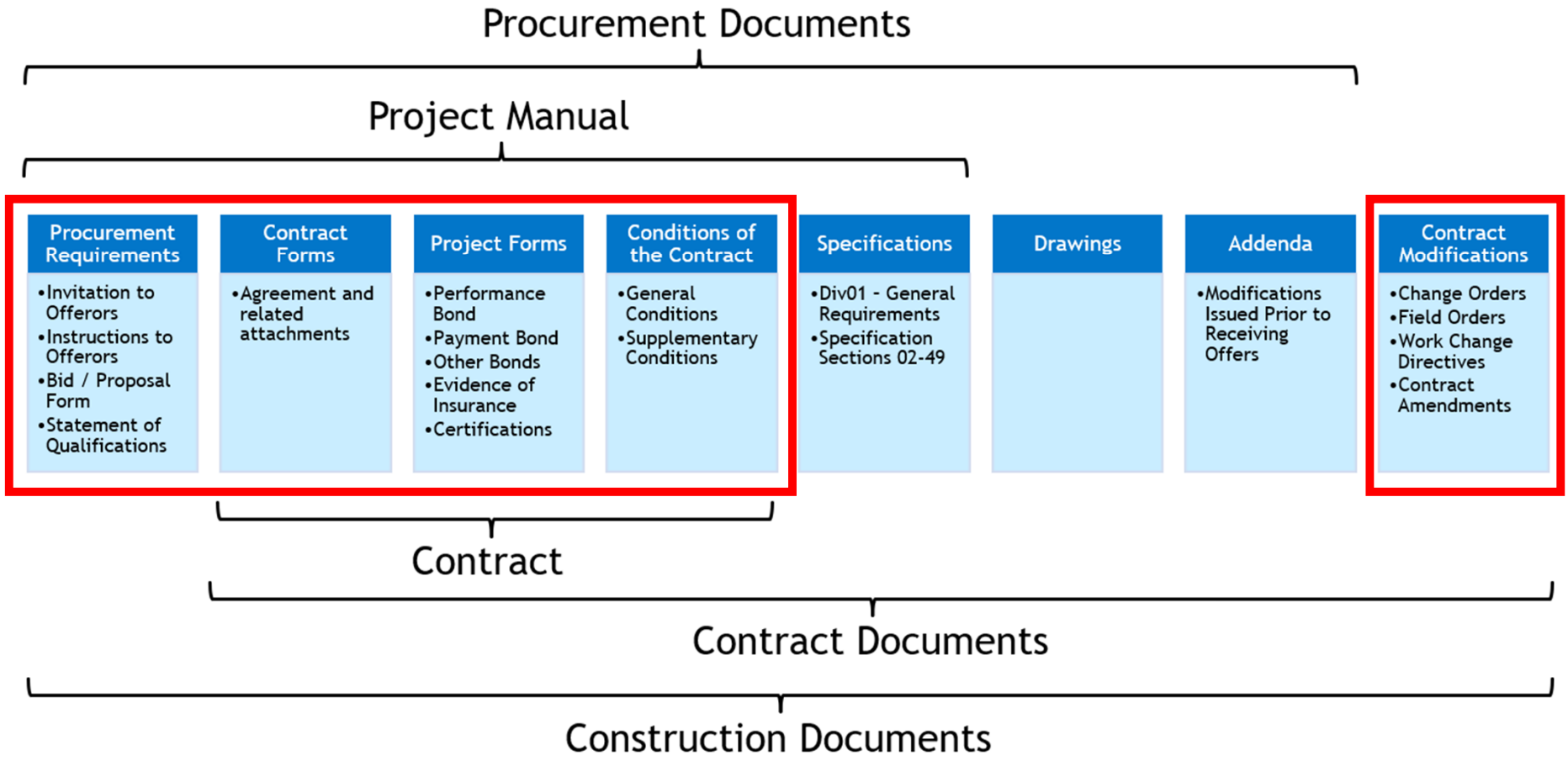
☐ Owner intends to retain as "Engineer" for the construction phase the firm of [r

☐ Owner intends to retain, as construction manager or similar for the constructi firm of **[name of firm]**.

1.2 Method of reconciling differences, if any, between Engineer's construction-phase res in the construction documents and in the Owner—Engineer Agreement:

☐ Construction documents will be revised to coordinate with Engineer's resp

How Do We Organize of Construction Documents



Contract Document Organization

- EJCDC recommends CSI MasterFormat®

> **If you need to decide where to put something, the only question is:**
>
> **If I needed it right now, where would I look for it.**
>
> **–Adam Savage (of MythBusters fame)**

Example Table of Contents

(Design-Bid-Build)

- Recommend numbering and naming guidelines from CSI MasterFormat®

Section Title
Title Page
Designer-of-Record Seals Page
Table of Contents
Advertisement/Invitation to Bid
Instructions to Bidders
Bid Form
Bid Bond
Qualifications Statement
Notice of Award
Agreement (Stipulate Price)
Notice to Proceed
Performance Bond
Payment Bond
General Conditions
Supplementary Conditions

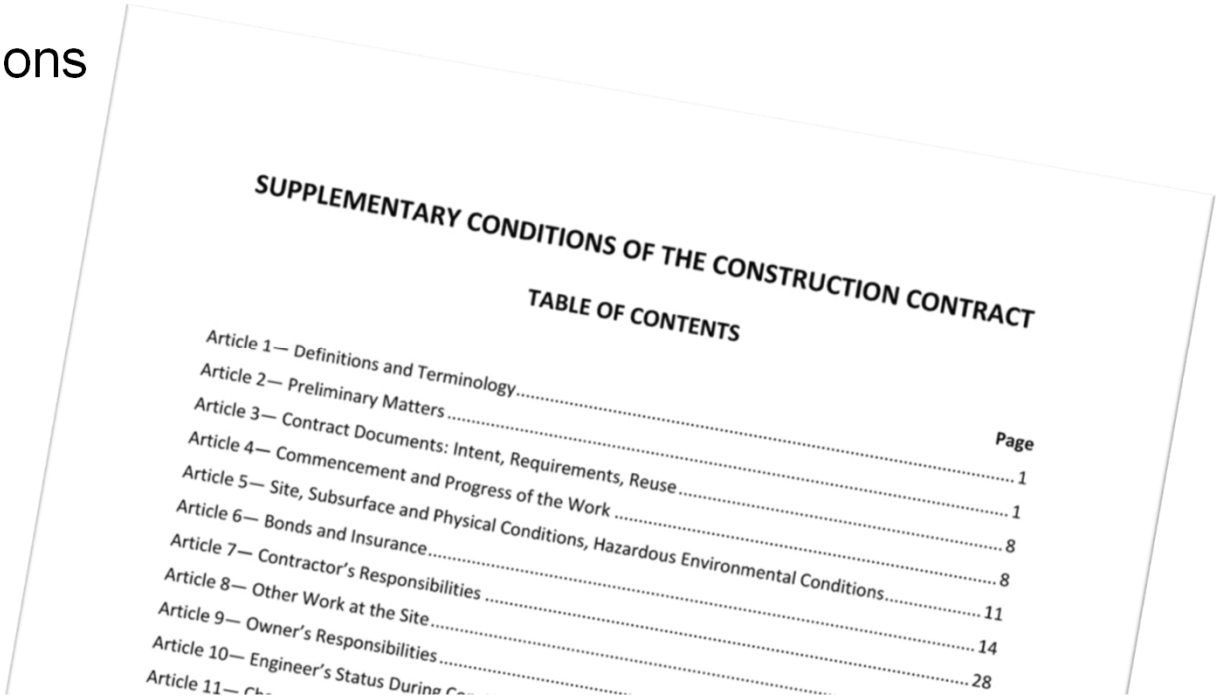
Design-Bid-Build Construction Documents

DBB

- Important EJCDC documents not in Division 00
  - C-001: Commentary on the 2018 Construction Series Documents FREE!
  - C-050, -051, and -052
- Administrative and Construction Forms not bound in Project Manual
  - (just a few examples, there are more)
  - C-620: Application for Payment (Excel spreadsheet)
  - C-940: Work Change Directive Form
  - C-941: Change Order Form
  - C-942: Field Order Form

Adapting EJCDC to Your Project

- Specific Project Needs
- Laws and Regulations
- C-800: Supplementary Conditions



SUPPLEMENTARY CONDITIONS OF THE CONSTRUCTION CONTRACT

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Latest and Upcoming EJCDC Publications

- Fixed-Price Design-Build: January 2026
- Progressive Design-Build: May 2026
- Design-Bid-Build Construction: Fall 2026

Series ID	Series Name	Latest Publication	Next Publication
C	Construction (Design-Bid-Build)	2018	2026
CMa	Construction Manager as Advisor	2021	
CMAR	Construction Manager at Risk	2023	2028
D	Design-Build (both FPDB and PDB)	2026	
E	Engineering	2020-2025	2028
P	Procurement	2019	2027
P3	Public-Private Partnership	2014	
C-RD	USDA Rural Development Preapproved	2018	

Thank you

Where to find us?

EJCDC.org
NSPE.org
ASCE.org
ACEC.org

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